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INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

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(21) International Application Number: ✓ PCT/US98/04599 (22) International Filing Date: ✓ 9 March 1998 (09.03.98) (30) Priority Data: 60/039,056 10 March 1997 (10.03.97) <i>10 Sep 99 / 30 mo</i> US (71)(72) Applicant and Inventor: SAMADPOUR, Mansour [US/US]; 6050 50th Avenue N.E., Seattle, WA 98115 (US). (74) Agent: MAJARIAN, William, R.; E.I. du Pont de Nemours and Company, Legal Patent Records Center, 1007 Market Street, Wilmington, DE 19898 (US).		(81) Designated States: AL, AM, AU, AZ, BA, BB, BG, BR, BY, CA, CN, CU, CZ, EE, GE, GW, HU, ID, IL, IS, JP, KG, KP, KR, KZ, LC, LK, LR, LT, LV, MD, MG, MK, MN, MX, NO, NZ, PL, RO, RU, SG, SI, SK, SL, TJ, TM, TR, TT, UA, US, UZ, VN, YU, ARIPO patent (GH, GM, KE, LS, MW, SD, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, ML, MR, NE, SN, TD, TG). Published <i>With international search report. Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.</i>
(54) Title: METHOD FOR THE IDENTIFICATION OF GENETIC SUBTYPES ✓ (57) Abstract The invention provides a method for the identification of genetic subtypes using restriction endonuclease analysis of genomic DNA followed by resolution on gel electrophoresis. The method employs frequent cutting restriction enzymes that produce large numbers of DNA fragments between 0.1 and 20 kb. Analysis of a portion of the smaller sized fragments gives a fingerprint distinctive of a particular genetic subtype.		

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 98/04599

A. CLASSIFICATION OF SUBJECT MATTER
IPC 6 C12Q1/68

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 266 787 A (MAX PLANCK GESELLSCHAFT) 11 May 1988 see figure 1; example 1 ---	1, 6-8, 11, 14, 15
A	SAMADPOUR M ET AL: "MOLECULAR EPIDEMIOLOGY OF ESCHERICHIA COLI O157:H7 BY RESTRICTION FRAGMENT LENGTH POLYMORPHISM USING SHIGA-LIKE TOXIN GENES" JOURNAL OF CLINICAL MICROBIOLOGY, vol. 33, no. 8, August 1995, pages 2150-2154, XP000197545 see page 2150 - page 2151 --- -/--	1-8, 16-18, 26, 27

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

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Date of the actual completion of the international search

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INTERNATIONAL SEARCH REPORT

International Application No

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>LI H ET AL: "Multiplex genotype determination at a DNA sequence polymorphism cluster in the human immunoglobulin heavy-chain region." GENOMICS, vol. 26, no. 2, 20 March 1995, SAN DIEGO, pages 199-206, XP002068684 see abstract</p> <p style="text-align: center;">---</p>	1,7,8,12
A	<p>GRIMM LM ET AL: "Molecular epidemiology of a fast-food restaurant-associated outbreak of Escherichia coli 0157:H7 in Washington State." JOURNAL OF CLINICAL MICROBIOLOGY, vol. 33, no. 8, August 1995, WASHINGTON, DC, pages 2155-2158, XP002068685 see page 2155</p> <p style="text-align: center;">---</p>	1-8
A	<p>FERNANDEZ-PERALTA AM ET AL: "Digestion of human chromosomes by means of the isoschizomers MspI and HpaII." GENOME, vol. 37, no. 5, October 1994, OTTAWA, pages 770-774, XP002068686 see page 770</p> <p style="text-align: center;">---</p>	1,6-8, 10-12
A	<p>PRESTON ET AL.: "Genetic variability and molecular typing of Shigella sonnei strains isolated in Canada" JOURNAL OF CLINICAL MICROBIOLOGY, vol. 32, no. 6, June 1994, WASHINGTON, DC, pages 1427-1430, XP002068687 see abstract</p> <p style="text-align: center;">---</p>	1-4,6,7, 9,11
A	<p>HAERTL ET AL.: "Use of small fragment restriction endonuclease analysis (SF-REA) for epidemiological fingerprinting of Klebsiella oxytoca" ZENTRALBLATT FÜR BAKTERIOLOGY, vol. 280, no. 8, January 1994, pages 312-318, XP002068688 see abstract see page 313</p> <p style="text-align: center;">-----</p>	1,2,6,7, 9,16,17, 19

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 98/04599

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 0266787 A	11-05-1988	DE 3786876 A	09-09-1993
		DE 3786876 T	27-01-1994
		EP 0547024 A	16-06-1993
		US 4987066 A	22-01-1991
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510 Rec'd PCT/PTO 01 SEP 1999

TITLE

METHOD FOR THE IDENTIFICATION OF GENETIC SUBTYPES

FIELD OF INVENTION

The present invention relates to the field of microbiology and methods for
5 identification of genetic subtypes within a given genetic population. More specifically the
process involves the method of Restriction Fragment Length Polymorphism (RFLP) using
frequent cutting restriction endonucleases (RE) to generate a genetic fingerprint distinctive
of a specific genetic subtype.

BACKGROUND

10 Infectious diseases are a prominent health hazard in industrial as well as developing
countries. For example, two to three million cases of *Salmonella* food poisoning are
estimated to occur each year in the United States. Acute symptoms of this disorder include
nausea, vomiting, diarrhea, cold chills, fever, and exhaustion. About 2,000-3,000 (0.1%)
15 people die each year in the United States from *Salmonella* poisoning, these victims usually
including infants, the sick, and elderly.

Poultry, red meat, seafood, eggs and any foods which contain these products
particularly have the potential to carry bacterial pathogens. The challenge to an
epidemiologist dealing with infectious diseases, is to be able to discern, not only which
pathogen is responsible for the disease, but also which serotype or subtype of the pathogen
20 is present. The ability to subtype the organisms causing a particular disease offers the best
chance of determining the source of the outbreak and controlling the spread of the disease.

As methods of molecular subtyping expand in epidemiological investigations of
infectious diseases there is a corresponding need for universal subtyping methods. Several
methods of genetic subtyping are practiced, including macro-restriction fragment length
25 polymorphism (Ma-RFLP) and PCR based methods.

Ma-RFLP methods involve the use of restriction endonucleases that cut DNA
infrequently (rare cutters) which results in the generation of a discreet number of relatively
large DNA fragments. These fragments are resolved by gel electrophoresis where the
banding pattern on the gel is used to differentiate discrete strains and subtypes within a
30 population of microorganisms. The DNA fragment size produced in Ma-RFLP is generally
on the order of 10-1000 kilobase pairs (kb).

Ma-RFLP has been used effectively in epidemiological studies for the subtyping of
organisms. For example, the method has been used to differentiate strains and subtypes of
Listeria [Nesbakken et al., *International Journal of Food Microbiology* 31 (1-3), 1996,
35 161-171; Saito et al., *Japanese Journal of Medical Science and Biology* 50 (2), 1997, 63-71.;
Howard et al., *Appl. Environ. Microbiol.* (1992), 58(2), 709-12;] *Salmonella*, [Kapperud et
al., *J Clin Microbiol* 27 (9), 1989, 2019-2024.; Koh-Luar et al., *World Journal of*

Microbiology & Biotechnology 12 (4), 1996, 405-407] *Campylobacter*, [Owen et al., *J Clin Microbiol* 27 (10), 1989, 2338-2343], and *Pseudomonas* [Goldstein, R., WO 9701647].

SSS

Although Ma-RFLP is the current method of choice for subtype determination the method is labor-intensive, cumbersome, takes 2-5 days to perform, and requires expensive electrophoretic equipment such as pulsed field gel electrophoresis (PFGE) apparatus for resolving the DNA fragments. Additionally the resolution of gel bands is often poor, making interpretation of the data suspect.

Another commonly used method of genetic subtyping employs polymerase chain reaction (PCR) amplification of genomic or chromosomal DNA either alone or in combination with restriction analysis or probe hybridization. Typically PCR primers, specific for a particular organism, are used to amplify a specific portion of the genome, which is then restricted using appropriate restriction enzymes. For example PCR based genetic subtyping has been used to analysis of populations of *Mycobacterium*, [Haas et al., *Journal of Clinical Microbiology* 35 (3), 1997, 663-666, (epidemiological tracking of *M. africanum* and *M. tuberculosis*)], and *Salmonella*, [Burr et al., *J. Microbiol. Methods* (1997), 29(1), 63-68, (distinguishing *Salmonella* and *E. coli* serotypes); Lin et al., *J. Clin. Microbiol.* (1996), 34(4), 870-6, (differentiation of *S. enteritidis* isolates)].

PCR based methods, while effective in differentiating some genetic subtypes, generally require advanced knowledge of the genome for the generation of specific primers, making the method less applicable to situations where little is known about the subject organism.

A method termed small fragment restriction endonuclease analysis (SF-REA) has been developed and has been used for epidemiological studies [Haertl et al., *Zentralbl. Bakteri.* (1994), 280(3), 312-18]. This technique relies on the use of infrequent cutting restriction endonucleases and analyzes the fragments generated in the 0.5 to 4 kb range. Restriction enzymes with 6-base recognition sequences are used to generate the RFLP pattern. The RFLP pattern range starts at 20-40 kb, and is virtually impossible to decipher. Polyacrylamide gel separation is necessary to achieve effective separation in the lower size range which has very limited use for interstrain differentiation.

Yet another method for genetic subtyping has been developed involving the application of restriction analysis to chromosomal DNA. The method is termed chromosomal restriction endonuclease analysis (CREA) and has been applied to various prokaryotic genomes with only moderate success. For example, Tsai et al., (*Gyobyō Kenkyū* (1990), 25(4), 201-6) disclose the restriction of genomic DNA isolated from the fish pathogens *Vibrio alginolyticus*, *V. anguillarum*, *V. damsela*, *V. harveyi*, *V. ordalii*, *V. parahaemolyticus*, and *V. vulnificus* with a variety of restriction enzymes and resolution

of fragments ranging from 2 kb to 23 kb by gel electrophoresis to obtain a characteristic fingerprint for each pathogen. Only 6 base specific restriction endonucleases were effective in generating specific patterns.

For the most part RFLP subtyping has employed rare cutters (infrequent cutters) in order to generate a manageable number of fragments. There are a few reports where more frequent cutters are used, with minimal success. For example, Preston et al. (*J. Clin. Microbiol.* (1994), 32(6), 1427-30) describe a method for the RFLP analysis of 49 clinical isolates of *Shigella sonnei* with the four base cutting restriction endonucleases *HaeIII* and *RsaI*. Restriction fragments were resolved by gel electrophoresis and visualized by silver staining. Analysis revealed 15 distinct RFLP patterns by *HaeIII* digestion, and 12 distinct patterns by *RsaI* digestion. The authors note that it was not possible to detect the bands on the gel using a DNA binding dye and silver stain was substituted as a detection means. Additionally, polyacrylamide was taught as the only effective gel medium for this type of separation.

Similarly, Wesley, et al., (*Microb. Toxins Foods Feeds: Cell. Mol. Modes Action*, [Proc. Symp.] (1990), Meeting Date 1988, 225-38. Editor(s): Pohland, Albert E.; Dowell, Vulus R., Jr.; Richard, John L. Publisher: Plenum, New York, NY) teach the restriction of genomic DNA isolated from *L. monocytogenes* with the four base cutter *HhaI* and resolution of the resulting fragments by gel electrophoresis. Although a frequent base cutter was used, Southern blotting and hybridization with a synthetic oligomer probe specific for the beta-hemolysin gene was necessary for final resolution.

Like Wesley et al., Matsuura, et al., (*J. Helminthol.* (1992), 66(4), 261-6) teach the use of seven kinds of restriction endonucleases including 4-base cutters for the digestion of *Diphyllbothrium* ribosomal DNA and resolution of the fragments on a gel for the identification of species-specific patterns. Final differentiation of subtypes was made using a characteristic 25S rDNA probe. This method of subtyping by Southern blot hybridization with ribosomal RNA-based probes, commonly referred to as ribotyping, is well known in the scientific literature.

The above mentioned methods are useful for genetic subtyping but are limited by lack of specificity and efficiency of application. There is a need therefore for a method that provides the rapid, specific and accurate subtyping of genetic populations that does not rely on the cumbersome techniques of Ma-RFLP pulsed-field gel analysis.

The Applicant has provided the solution to the stated problem by developing a highly specific restriction enzyme based process that analyzes the DNA banding patterns of small DNA fragments produced by the use of appropriate restriction enzymes (mostly frequent base cutters) which yield banding patterns in the size range below 18 kb.

SUMMARY OF THE INVENTION

The present invention provides a method for the differentiation of genetic sub-types within a population of genetically related organisms comprising the steps of:

- (i) isolating genomic DNA from an organism to be analyzed;
- 5 (ii) restricting an excess of genomic DNA from said organism with at least one restriction endonuclease to yield restricted DNA having fragments less than 18 kb;
- (iii) resolving said restricted DNA by chromatographic means to generate a distinct genetic fingerprint;
- (iv) comparing said distinct genetic fingerprint of step (iii) with the genetic
- 10 fingerprint of a specific genetic sub-type wherein differences in said genetic fingerprints afford differentiation of genetic sub-types within a population of genetically related organisms.

The invention further provides a method for the interstrain differentiation of bacterial isolates, comprising the steps of:

- 15 (i) isolating genomic DNA from a) a panel of epidemiologically linked bacterial isolates and b) a panel of epidemiologically un-linked bacterial isolates wherein said linked and un-linked isolates are members of the same genus;
- (ii) restricting an excess of genomic DNA from the linked and un-linked panel of isolates with a panel of restriction enzymes selected from the group consisting of *AccI*,
20 *AluI*, *AvaI*, *AvaII*, *BanII*, *BfaI*, *CfoI*, *DdeI*, *DpnI*, *HaeII*, *HaeIII*, *HhaI*, *HincII*, *HinfI*, *HpaII*,
MboI, *MnII*, *MseI*, *NciI*, *NlaIV*, *RsaI*, *Sau3AI*, *ScrFI*, *TaqI*, and *ThaI*;
- (iii) resolving the restricted DNA of step (ii) by gel electrophoresis to generate a banding pattern for each enzyme;
- (iv) selecting at least one enzyme from the panel of enzymes of step (ii) that
- 25 a) generates DNA fragments less than 18 kb, b) generates the lowest index of diversity from the linked panel and c) generates the highest index of diversity from the unlinked panel;
- (v) restricting the isolated DNA from the linked and un-linked panels of bacterial isolates of step (i) with the at least one enzyme of step (iv);
- (vi) resolving said restricted DNA of step (v) by gel electrophoresis to generate
- 30 a distinct genetic fingerprint for said linked and unlinked isolates; and
- (vii) comparing said distinct genetic fingerprints of step (vi) wherein differences in said genetic fingerprints affords interstrain differentiation of said bacterial isolates.

BRIEF DESCRIPTION OF THE FIGURES

Figure 1a is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction
35 endonuclease *AscI*, *DdeI*, *DpnII* or *MnII*.

Figure 1b is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *AscI*, *AvaI*, or *BfaI*.

Figure 1c is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *TaqI*, *Sau3AI*, *NciI* or *AluI*.

Figure 1d is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *MspI* or *HhaI*.

5 Figure 1e is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *ScrFI* or *RsaI*.

Figure 1f is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *BstUI*.

10 Figure 1g is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *AvaII*.

Figure 1h is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *HinfI*.

Figure 1i is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *NlaIV*.

15 Figure 1j is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *PvuII*, *HindIII* or *HincII*.

Figure 1k is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *EcoRI*, *BspI* or *BamHI*.

20 Figure 1l is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *HaeIII*.

Figure 1m is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *NlaIII*.

Figure 2a is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *RsaI*, *ScrFI* or *Sau3AI*.

25 Figure 2b is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *HhaI* or *MspI*.

Figure 2c is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *NlaIV*.

30 Figure 2d is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *HhaI*.

Figure 2e is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *HaeIII*.

Figure 2f is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *Sau3AI*.

35 Figure 2g is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *AluI*.

Figure 2h is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *NciI*.

Figure 2i is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *AluI*, *NciI*, *Sau3AI* or *HaeIII*.

5 Figure 3a is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *HaeIII*.

Figure 3b is an agarose Gel of *E. coli* O157:H7 DNAs digested with restriction endonuclease *Sau3AI*.

10 Figure 4 is an agarose Gel of *E. coli* O157:H7 DNAs (strains 112, 2096, 2160) digested with restriction endonuclease *PvuII*, *HindIII*, *EcoRI* or *Sau3AI*.

Figure 5 is an agarose Gel of *E. coli* O157:H7 (strain 112) DNA double-digested with restriction endonucleases *HincII* and *SmaI*, *PstI* and *HindIII* or *EcoRV* and *HindIII*.

Figure 6 is an agarose Gel of increasing masses of *E. coli* O157:H7 (strain 112) DNA digested with restriction endonuclease *HaeIII* or *Sau3AI*.

15 Figure 7a is an agarose gel (2%) of *NciI* or *Sau3AI* digested DNA from three strains of *E. coli* O157:H7.

Figure 7b is an agarose gel (1%) of *NciI* or *Sau3AI* digested DNA from three strains of *E. coli* O157:H7.

20 Figure 8a is an agarose gel (0.7%) of *Sau3AI* digested DNA from three strains of *E. coli* O157:H7.

Figure 8b is an agarose gel (0.8%) of *Sau3AI* digested DNA from three strains of *E. coli* O157:H7.

Figure 8c is an agarose gel (1.0%) of *Sau3AI* digested DNA from three strains of *E. coli* O157:H7.

25 Figure 9a is an agarose gel of *Shigella sonnei*, *Salmonella bovis-morbificans* and *E. coli* O157:H7 DNAs digested with *AvaI*, *BstUI*, *DpnII*, *HhaI*, *MspI* or *NlaIII* restriction endonucleases.

Figure 9b is an agarose gel of *Shigella sonnei*, *Salmonella bovis-morbificans* and *E. coli* O157:H7 DNAs digested with *NlaIV*, *RsaI* or *ScrFI* restriction endonucleases.

30 Figure 9c is an agarose gel of DNAs from three *Shigella sonnei* isolates digested with *Sau3AI*, *NciI*, or *HaeIII* restriction endonucleases.

Figure 9d is an agarose gel of DNAs from three *Salmonella bovis-morbificans* isolates digested with *Sau3AI*, *NciI*, or *HaeIII* restriction endonucleases.

35 Figure 10a is an agarose gel of *HaeIII*-digested DNAs from epidemiologically-linked and -unlinked *Shigella sonnei* isolates.

Figure 10b is an agarose gel of *Sau3AI*-digested DNAs from epidemiologically-linked and -unlinked *Shigella sonnei* isolates.

Figure 11a is an agarose gel of *HaeIII* digested DNAs from 11 *Salmonella bovis-morbificans* isolates of known epidemiologic history.

Figure 11b is an agarose gel of *AluI* digested DNAs from 11 *Salmonella bovis morbificans* isolates of known epidemiologic history.

5 Figure 11c is an agarose gel of *NciI* digested DNAs from 11 *Salmonella bovis-morbificans* isolates of known epidemiologic history.

Figure 11d is an agarose gel of *Sau3AI* digested DNAs from 11 *Salmonella bovis-morbificans* isolates of known epidemiologic history.

10 Figure 12a is an agarose gel of DNAs from three *Neisseria meningitidis* isolates digested with *Sau3AI*, *NciI*, or *HaeIII* restriction endonucleases.

Figure 12b is an agarose gel of DNAs from two *Neisseria meningitidis* isolates digested with *Sau3AI*, *HaeIII* or *MnII* restriction endonucleases.

Figure 12c is an agarose gel of DNAs from six *Pseudomonas aeruginosa* isolates digested with *NciI*, *Sau3AI*, or *HaeIII* restriction endonucleases.

15 Figure 12d is an agarose gel of *NciI* digested DNAs from 5 *Pseudomonas aeruginosa* isolates of known epidemiologic history.

Figure 13a is an agarose gel of *Sau3AI* or *HaeIII* digested DNAs from 7 *Klebsiella pneumonia* isolates of known epidemiologic history.

20 Figure 13b is an agarose gel of *HaeIII* digested DNAs from *Vibrio parahaemolyticus* isolates of known epidemiologic history.

Figure 13c is an agarose gel of *Sau3AI* digested DNAs from *Vibrio parahaemolyticus* isolates of known epidemiologic history.

Figure 14a is an agarose gel of *HaeIII* digested DNAs from *Enterococcus* species isolates of known epidemiologic history.

25 Figure 14b is an agarose gel of *HhaI* digested DNAs from *Enterococcus* isolates of known epidemiologic history.

Figure 14c is an agarose gel (0.6%) of *HaeIII* digested DNAs from *Enterococcus* isolates of known epidemiologic history.

30 Figure 15a is an agarose gel of *Staphylococcus aureus* DNA digested with the 13 different restriction endonucleases *AluI*, *AscI*, *AvaI*, *Avall*, *BfaI*, *BstUI*, *DdeI*, *DpnII*, *MnII*, *MseI*, *MspI*, *RsaI* and *ScrFI*.

Figure 15b is an agarose gel of *HaeIII* digested DNAs from 10 *Staphylococcus aureus* isolates of known epidemiologic history.

35 Figure 15c is an agarose gel of *NlaIV* digested DNAs from 10 *Staphylococcus aureus* isolates of known epidemiologic history.

Figure 15d is an agarose gel of *HhaI* digested DNAs from 9 *Staphylococcus aureus* isolates of known epidemiologic history.

Figure 15e is an agarose gel of *AluI* digested DNAs from 7 *Staphylococcus aureus* isolates of known epidemiologic history.

Figure 15f is an agarose gel of *DdeI* digested DNAs from 7 *Staphylococcus aureus* isolates of known epidemiologic history.

5 Figure 15g is an agarose gel of *DdeI* and *MnII* digested DNAs from 7 *Staphylococcus aureus* isolates of known epidemiologic history.

Figure 15h is an agarose gel of *HhaI* digested DNAs from 7 *Staphylococcus aureus* isolates of known epidemiologic history.

10 Figure 16a is an agarose gel of *Listeria monocytogenes* DNA digested with the 13 different restriction endonucleases *AluI*, *AscI*, *AvaI*, *BfaI*, *BstUI*, *DdeI*, *DpnII*, *MnII*, *MseI*, *MspI*, *NlaIII*, *RsaI* and *ScrFI*.

Figure 16b is an agarose gel of *DpnII* digested DNAs from 12 *Listeria monocytogenes* isolates of known epidemiologic history.

DETAILED DESCRIPTION OF THE INVENTION

15 As used herein the following terms may be used for interpretation of the claims and specification.

The term "genetic subtype" means an individual microbial cell or group of microbial cells of a particular taxonomic genus, species, subspecies, serovar or strain which can be distinguished on the basis of differences in genomic DNA sequence or structure revealed by
20 DNA sequencing, restriction fragment length polymorphism or other DNA-based methodology from other individual microbial cells or groups of microbial cells of the same taxonomic classification.

The terms "genetic subtyping" and "inter-strain differentiation" will be used interchangeably and will refer to any process for identifying a genetic subtype.

25 The term "epidemiological history" means information which relates microbial strains isolated from clusters of patients grouped on the basis of common exposure to a specific microbe. Discrete microbial isolates which have a known epidemiological history may or may not be linked to a common source or exposure.

30 The term "excess DNA" refers the amount of DNA use for restriction digest and will vary from about 5 ug to about 30 ug.

The term "chromatographic means" refers to any method of chromatographically separating nucleic acid fragments. Typical method include gel electrophoresis, high pressure liquid chromatography (HPLC), flow cytometry and membrane separation.

35 The term "banding pattern" means a pattern of DNA fragments distinctly separated on a gel or other chromatographic media.

The term "genetic fingerprint" means an array of DNA or RNA fragments or DNA or RNA nucleotide sequence from an organism which is sufficient to distinguish it from

another organism of the same taxonomic classification at the level of genus, species, subspecies, serovar or strain designation.

The term "microbial" means bacteria, fungi, and parasites.

The term "epidemiologically linked" means independently isolated strains (isolated from a group of patients who have been exposed to the same vehicle of infection) which belong to the same species and are of clonal origin. In non-medical setting the term would indicate a group of isolated microbes which are of clonal origin.

The term "epidemiologically unlinked" means a group of isolates which are not of clonal origin.

The term "restriction endonuclease" or "restriction enzyme" will be abbreviated as RE and will mean an enzyme which binds and cuts within a specific nucleotide sequence within double-stranded DNA.

The term "4 base cutter" means a restriction endonuclease which recognizes and requires a specific DNA sequence of four nucleotides for site-specific digestion of double-stranded DNA.

The term "6 base cutter" means a restriction endonuclease which recognizes and requires a specific DNA sequence of six nucleotides for site-specific digestion of double-stranded DNA.

The term "genetically related population" refers to any grouping of organisms possessing multiple or single phenotypic characteristics of sufficient similarity to allow said organisms to be classified as a single genus, species, or subspecies.

The term "index of diversity" means the number of discrete subtypes identified by the number of isolates analyzed by a specific subtyping method.

"Nucleic acid" refers to a molecule which can be single-stranded or double-stranded, comprising monomers (nucleotides) containing a sugar, phosphate and either a purine or pyrimidine. In bacteria, lower eukaryotes, and in higher animals and plants, "deoxyribonucleic acid" (DNA) refers to the genetic material while "ribonucleic acid" (RNA) is involved in the translation of the information from DNA into proteins.

The present invention describes a method for the identification of genetic subtypes within a given related genetic population. The method utilizes the variation seen in a DNA banding pattern when genomic or chromosomal DNA is restricted with frequent base cutters. Only fragments between 0.1 and 18 kb are analyzed.

The present invention and its variations can be used for a myriad of applications. It may be used by plant or animal breeders to correctly identify their subjects, or it may be used by clinical and microbiological laboratories to identify bacteria, parasites or fungi present in any medium, including in eukaryotic cells. In this latter use, the method is preferred to the standard microbiological assays, since it does not require isolation and growth of the

microbes. In vitro growth and characterization is now either impossible for some microorganisms such as *Mycobacterium leprae* (agent of leprosy), impossible on standard media for some microorganisms such as the obligate intracellular bacteria (e.g., *Rickettsia*, *Chlamydia*, etc.), or highly dangerous (e.g., *B. anthracis* (agent of anthrax). The present method depends on the isolation of nucleic acid and avoids these problems since it avoids conventional bacterial isolation and characterization.

The method is expected to characterize microorganisms that have not yet been conventionally described. In addition, the present method allows distinguishing different strains of species, and this can be useful, for example, for epidemiological typing in bacteriology. The method can be used by forensic laboratories to correctly and unambiguously identify plant or animal tissues in criminal investigations. It can also be used by entomologists to quickly identify insect species, when ascertaining the nature of crop infestations.

Organisms Within A Genetically Related Population

The present method is useful for the determination of genetic subtypes within a specific genetically related population. That population may be represented by either prokaryotes or eukaryotes where the organisms are classified as a single genus, species, or subspecies. When identifying a prokaryotic organism, the DNA to be endonuclease-digested is that present in the cells or in the non-compartmentalized chromosomes. When identifying a eukaryotic organism nuclear DNA will be used. Preferred eukaryotic organisms that are amenable to analysis by the present method are microbial, and although may exist in an organized form such as are found in various fungal species, are generally unicellular.

Although any eukaryotic or prokaryotic organism is suitable for analysis by the instant method, the method is particularly suitable when used to analyze genera commonly associated with pathogenicity in human, animals and plants. Those genera include but are not limited to *Escherichia*, *Salmonella*, *Shigella*, *Vibrio*, *Listeria*, *Staphylococcus*, *Streptococcus*, *Enterococcus*, *Klebsiella*, *Neisseria*, *Pseudomonas* and *Campylobacter*.

Isolation of DNA

The present method begins with the extraction and isolation of DNA from the organism to be analyzed. Although methods of DNA extraction from both prokaryotic and eukaryotic cells is well known in the art (see for example Sambrook, J. et al., Molecular Cloning: A Laboratory Manual, Second Edition, Cold Spring Harbor Laboratory Press, Cold Spring Harbor, NY (1989)), the methodology for each is slightly different.

For prokaryotic cells, an unknown bacterium present in any medium, such as an industrial fermentation suspension, agar medium, plant or animal tissue or sample or the like, is treated under well known conditions designed to extract high molecular weight DNA. For example, cells of the unknown organism can be suspended in extraction buffer,

lysozyme added, and the suspension incubated. Cell disruption can be accelerated by addition of detergents, and/or by increase in temperature. Protease digestion followed by phenol/chloroform extraction and ethanol precipitation can be used to finalize the extraction of DNA. An alternative method of extraction, which is much faster than phenol/chloroform extraction, is rapid isolation of DNA using ethanol precipitation. This method is preferably used to isolate DNA directly from colonies or small, liquid cultures. The method is described in Davis, R. W. et al: "A Manual for Genetic Engineering, Advanced Bacterial Genetics", (hereinafter "Davis") Cold Spring Harbor Laboratory, Cold Spring, Harbor, NY, 1980, pp. 120-121, herein incorporated by reference.

Where the unknown organism is eukaryotic, an alternate methodology is used (see for example Drohan, W. et al, *Biochem. Biophys. Acta* 521 (1978) 1-15, herein incorporated by reference). Because organelle DNA is small and circular, spooling techniques serve to separate the non-circular nuclear DNA from the circular, organelle-derived DNA. As a corollary, the non-spooled material contains the organelle-derived DNA which can separately be isolated by density gradient centrifugation. Alternatively mitochondria (or chloroplasts) are separated from a mixture of disrupted cells; the purified mitochondrial (or chloroplast) fraction is used for the preparation of organelle-derived DNA while the purified nuclear fraction is used to prepare nuclear DNA. (See for example Bonn L. and Gray, M. W., *Nucleic Acids Research* 8:319-335 (1980)).

In addition to the general method cited above DNA may be isolated from the organism to be analyzed using a variety commercial kits available from industrial sources such as Stratagene (La Jolla, CA) and Promega Corp. (Madison, WI).

Restriction Enzymes

The choice of restriction enzymes in the present invention is essential to the operability of the invention. Most suitable are restriction enzymes that are either 4, 5 or 6 base cutters wherein 4 base cutters are preferred. Four base cutters should have a recognition site, on average, every 256 bases along the DNA strand. Cuts at this frequency generate the large number of fragments needed for the analysis. Combinations of enzymes may also be used in a single digest where the digestion will result in the generation of nucleic acid fragments in the range of 0.1 to 18 kb. Single enzymes or combinations of enzymes that generate fragments outside of this range are not useful.

Suitable restriction enzymes useful in the present invention include but are not limited to *AccI*, *AluI*, *AvaI*, *Avall*, *BanII*, *BfaI*, *CfoI*, *DdeI*, *DpnI*, *HaeII*, *HaeIII*, *HhaI*, *HincII*, *HinfI*, *HpaII*, *MboI*, *MnII*, *MseI*, *NciI*, *NlaIV*, *RsaI*, *Sau3AI*, *ScrFI*, *TaqI*, and *ThaI*. Methods for performing restriction digests are common and well known in the art (see for example Sambrook, J. et al., *supra*).

Selection of the appropriate enzymes for any given organism is accomplished by a process of comparing the digestions of a battery of enzymes against panel of organisms of the same taxonomic classification, epidemiologic history, or biochemical and morphologic characterization. For example, to differentiate between different strains or subtypes of a particular organism, genomic DNA is isolated from a panel of epidemiologically linked isolates as well as from a panel of epidemiologically un-linked isolates of the same genus. The isolated DNA is restricted using a large number of restriction endonucleases comprised of 4, 5 and 6 base cutters. Each enzyme employed is used in a single digestion reaction. The number of enzymes tested may vary where a panel of about 20 different enzymes (primarily 4 base cutters with some 5 and 6 base-specific cutters) is recommended. The restriction patterns or banding patterns are analyzed to identify the enzymes that will give the lowest index of diversity from the linked panel of organisms, and the highest index of diversity from the unlinked panel. The index of diversity is determined by dividing the number of banding patterns over the number of organisms tested. A pattern is considered significant if all the bands generated are less than 18 kb and discrete bands can be identified. When comparing banding patterns, the presence of only one additional band is considered significant and will represent a distinct subtype. Similarly, a difference in band intensity may define a significant variation. For example, where the banding patterns are identical with respect to the number and size of the DNA fragments, but where one or more bands differ in intensity, the difference in band intensity will be considered evidence of a distinct subtype.

Enzymes chosen on the basis of these distinctions will then be used to subtype all organisms falling into a particular species or genus.

Although frequent cutting endonucleases are effective at generating significant banding patterns, it is also possible to use more than one infrequent cutting enzyme to achieve the same effect. For example, several 6 base cutters may be used in a double, or triple digest. Depending on the organism chosen the multiple digest will generate an banding pattern of equal efficacy to that generated by a frequent base cutter. When more than one enzyme is used in inter- or intrastrain differentiation studies, their results are combined; genetic identity or clonality may then be defined as groups of independent isolates which have identical banding patterns with all the enzymes used in the study.

Chromatographic and Electrophoretic Methods of DNA separation

Digested DNA must be separated into a discrete banding pattern or fingerprint for subtyping to be effective. Comparison of the distinct genetic fingerprint of the organism under study with the genetic fingerprint of a specific genetic sub-type will then afford differentiation of genetic sub-types within a population of genetically related organisms.

Any method of separating DNA fragments is suitable in the present invention including HPLC, flow cytometry, membrane chromatography and gel electrophoresis. Methods of DNA separation by HPLC are common and well known in the art (see for example Wages et al., High Performance Liquid Chromatography: Principal Methods 5 Biotechnology (1996), 351-379. Editor(s): Katz, Elena D. Publisher: Wiley, Chichester, UK.; Takenaka et al., *Curr. Innovations Mol. Biol.* (1995), Volume Date 1995, 2, 137-54). Similarly methods of DNA separation using membrane chromatography are possible, where the DNA fragments are labeled with suitable reporters (see for example, U.S. 5,310,650 and WO 9527081). Additionally, flow cytometry has been used for separation of fluorescently 10 labeled restriction fragments (See for example Huang, et al., *Nuc. Acids. Res.*, 24, 4202, (1996)).

The separation method of choice in the present invention is gel electrophoresis. Isolated and restricted DNA is subjected to electrophoretic separation to develop a specific and unique banding pattern. Any method of electrophoresis that is amenable to the 15 separation of nucleic acid fragments is suitable. For example, DNA fragments may be separated using gels comprised of agarose or polyacrylamide and may be non-denaturing or denaturing. The gel system may be as capillary gel electrophoresis, pulsed field gel electrophoresis, field inversion electrophoresis or 2 dimensional gel electrophoresis.

Methods for the electrophoretic separation of nucleic acids are well known in the art, 20 see for example Suvorov et al., Adv. Exp. Med. Biol. (1997), 418(Streptococci and the Host), 979-981; Dovichi N., *Autom. Technol. Genome Charact.* (1997), 145-165. Editor(s): Beugelsdijk, Tony J. Publisher: Wiley, New York, NY; Caetano-Anolles, G., Fingerprinting Methods Based Arbitrarily Primed PCR (1997), 119-134. Editor(s): Micheli, Maria Rita; Bova, Rodolfo. Publisher: Springer, Berlin, Germany.

25 Preferred in the present method are agarose gels comprised of about 0.6% to about 2% agarose, where a concentration of about 1% agarose is most preferred. Gels are typically run under non-denaturing conditions and over a time period from about 4 hours to about 20 hours where a time of about 17 hours is preferred. Voltage potential across the gel may be varied to enhance fragment separation. Lower voltages of about 20v give less distinct 30 patterns as oppose to voltages in the 70v to 100v ranges. Where standard horizontal electrophoretic methods are employed it is useful to resolve the banding pattern within specific area of the gel. Generally the best results are obtained when the distance between fragments with the greatest and lowest molecular weight within the data interpretation zone (starting at the fragment with the largest molecular weight and going down to 1-2 kb 35 fragments) is in the 4 cm to 12 cm range. In a preferred embodiment it is useful to run fragments less than 2 kb off the gel to improve banding pattern resolution.

DNA Binding Agents

The present method employs a DNA binding agent for the identification of DNA bands after gel electrophoresis. Particularly suited are DNA intercalating agents capable of binding to DNA and emitting a fluorescent signal. A variety of intercalating agents are known in the art such as propidium iodide (PI) and ethidium bromide (EB) [Sailer et al., *Cytometry* (1996), 25(2), 164-172] and the cyanine dyes such as Oxazole Yellow [EP 714986], TOTO (1,1'-(4,4,7,7-tetramethyl-4,7-diazaundecamethylene)-bis-4-[3-methyl-2,3-dihydro-(benzo-1,3-thiazole)-2-methylidene]-quinolinium tetraiodide), a homodimer of thiazole orange [Axton et al., *Mol. Cell. Probes* (1994), 8(3), 245-50] oxazole orange (YOYO) [Srinivasan et al., *Appl. Theor. Electrophor.* (1993), 3(5), 235-9] SybrGreen™, available from Molecular Probes, Inc. (Eugene, OR, USA), and others included in U.S. Patent No. 5,563,037, hereby incorporated by reference. Preferred in the present method are ethidium bromide and propidium iodide, readily available from Sigma Chemical Company (St. Louis, MO).

The present invention is further defined in the following Examples. It should be understood that these Examples, while indicating preferred embodiments of the invention, are given by way of illustration only. From the above discussion and these Examples, one skilled in the art can ascertain the essential characteristics of this invention, and without departing from the spirit and scope thereof, can make various changes and modifications of the invention to adapt it to various usages and conditions.

EXAMPLES

GENERAL METHODS

Procedures for DNA restriction analysis and other protocols common in the art of molecular biology used in the following examples may be found in Sambrook, J. et al., Molecular Cloning: A Laboratory Manual, Second Edition, Cold Spring Harbor Laboratory Press, Cold Spring Harbor, NY (1989) and by T. J. Silhavy, M. L. Bannan, and L. W. Enquist, Experiments with Gene Fusions, Cold Spring Harbor Laboratory, Cold Spring Harbor, NY (1984) and by Ausubel, F. M. et al., Current Protocols in Molecular Biology, pub. by Greene Publishing Assoc. and Wiley-Interscience (1987).

Materials and methods suitable for the maintenance and growth of bacterial cultures are well known in the art. Techniques suitable for use in the following examples may be found in Manual of Methods for General Bacteriology (Phillipp Gerhardt, R. G. E. Murray, Ralph N. Costilow, Eugene W. Nester, Willis A. Wood, Noel R. Krieg and G. Briggs Phillips, eds), American Society for Microbiology, Washington, DC. (1994) or in the work of Thomas D. Brock (in Biotechnology: A Textbook of Industrial Microbiology, Second Edition (1989) Sinauer Associates, Inc., Sunderland, MA). All reagents and materials used for the growth and maintenance of bacterial cells were obtained from Aldrich Chemicals

(Milwaukee, WI), DIFCO Laboratories (Detroit, MI), GIBCO/BRL (Gaithersburg, MD), or Sigma Chemical Company (St. Louis, MO) unless otherwise specified.

5 Restriction enzymes used in the following examples were obtained from American Allied Biochemicals (Aurora, CO), New England Biolabs (Beverly, MA) and Boehringer-Mannheim (Indianapolis, IN).

 The meaning of abbreviations is as follows: "h" means hour(s), "min" means minute(s), "sec" means second(s), "d" means day(s), "uL" means microliters, "mL" means milliliters, and "L" means liters.

Bacterial strains

10 *Escherichia coli* O157:H7 strains were obtained from Washington State Health Department, King County laboratories, and Center for Disease Control and Prevention and grown on tryptic soy agar (Difco Laboratories).

Growth Conditions

15 All strains were grown overnight on tryptic soy agar. Confluent bacterial growth on agar plates was scraped with several sweeps of a sterile flat-headed toothpick and suspended in 0.8 mL of 50 mM Tris (pH 8.0) containing 50 mM EDTA. Forty-five uL of 20% sodium dodecyl sulfate (SDS) and 10 uL of Proteinase K (20 mg/mL; Boehringer-Mannheim, Indianapolis, IN) was added to all suspensions. The suspensions were incubated at 50°C for 1 h.

20 Isolation of DNA

DNA Isolation from Gram Negative Bacteria:

25 Confluent bacterial growth on agar plates was scraped with several sweeps of a sterile flat-headed toothpick and suspended in 0.8 mL of 50 mM Tris, 50 mM EDTA (pH 8.0). Forty-five uL of 20% sodium dodecyl sulfate (SDS) and 10 uL of proteinase K (20 mg/mL ; Pharmacia, Piscataway, N.J.) was added to all suspensions. The suspensions were incubated at 50°C for 1 h. Phenol-chloroform and chloroform extractions are performed on the DNA suspensions. The DNA is precipitated with the addition of 2.5 times the volume of absolute ethanol, spooled with a glass capillary pipette and suspended in 100-200 uL sterile dH₂O.

30 DNA Isolation from Gram Positive Bacteria:

35 Confluent bacterial growth on agar plates was scraped with several sweeps of a sterile flat-headed toothpick and suspended in 0.8 mL of 50 mM Tris, 50 mM EDTA (pH 8.0), plus 10 mg/mL lysozyme and incubated for 1 h, at 37°C. Fifty uL of 5 mg/mL solution of Lysostaphin (Sigma, St. Louis, MO) was added to each tube and the mixture was incubated for 1 h, at 37°C. Forty-five uL of 20% sodium dodecyl sulfate (SDS) and 10 uL of proteinase K (20 mg/mL; Pharmacia, Piscataway, NJ) was added to all suspensions. The suspensions were incubated at 50°C for 1 h. Phenol-chloroform and chloroform extractions

are performed on the DNA suspensions. The DNA is then precipitated with the addition of 2.5 times the volume of absolute ethanol, spooled with a glass capillary pipette and suspended in 100-200 uL sterile dH₂O.

Restriction Digests:

- 5 Ten to twenty microliters from each DNA preparations (1 ug/uL) was digested with 10-20 units of appropriate restriction enzymes in a 30 uL reaction volume according to the manufacturer's instructions. All DNA preparations were digested for a minimum of 2 h at 37°C (unless other temperatures were indicated by the manufacturer).

Electrophoresis

- 10 Following digestion, DNA fragments were electrophoretically separated on 15x20 cm agarose gels in 1X Tris-borate EDTA. Unless otherwise specified the gels were 1% agarose. Unless otherwise specified the gels were run for 17 h at 70 v. Lambda-Hind III and 1KB ladder were used as the molecular size markers. Gels were stained with ethidium bromide for 20 min, destained with deionized water for 1 h, and visualized.

15

EXAMPLE 1

SUBTYPING OF *E. COLI* 0157

Example 1 demonstrates the process for the selection of appropriate restriction enzymes for the subtyping of a particular organism and the subsequent determination of a genetic subtype.

- 20 Two panels of *E. coli* 0157 isolates with known epidemiological history were assembled. In order to identify appropriate restriction enzymes, groups of *E. coli* O157:H7 strains were analyzed with various enzymes. The results are shown in Figures 1a-m.

- Genomic DNA was isolated and extracted from the members of each panel according to the protocol described in the GENERAL METHODS. Extracted DNA was then restricted with a variety of enzymes listed below:

25 *AluI*, *AscI*, *AvaI*, *Avall*, *BamHI*, *BfaI*, *Bstul*, *Bspl*, *DdeI*, *DpnI*, *EcoRI*, *HincII*, *HindIII*, *HaeIII*, *HinFI*, *HhaI*, *MnlI*, *MspI*, *NciI*, *nlaIII*, *NlaIV*, *PvuII*, *RsaI*, *Sau3AI*, *ScrfI*, *TaqI*.

- Restriction digested proceeded according to the method described in the GENERAL METHODS, and the restriction fragments were resolved by gel electrophoresis, with the exception that the voltage was varied between 22-34 volts (Figures 1a-m). The resulting banding patterns were analyzed to identify the restriction enzymes which could potentially generate epidemiologically relevant data. Enzymes generating DNA fragments no larger than 18 kb, where the majority of bands are less than 12 kb are selected for further use. As can be seen in Figures 1a-l, 15 of the 26 enzymes have banding patterns which start under 18 kb.

- 35 Upon further examination, of the 14 enzymes, several were excluded and due to lack of sensitivity in inter-strain differentiation of *E. coli* O157:H7, or the nature of their banding

patterns. For example *AvaII* was excluded because it generated a very compressed banding pattern in the 18 kb size range. *HinfI* and *NlaIII* were excluded because almost all the bands were below 4 kb which resulted in a very compressed and indecipherable banding pattern.

5 Several of the enzymes were selected for further testing results are shown in Figures 2a-i. From this smaller set of enzymes, *HaeIII* and *Sau3AI* were selected as the primary and secondary enzymes to be used for *E. coli* O157:H7 subtyping.

DNA from a panel of unlinked isolates were restricted with *HaeIII*, *Sau3AI*, *NciI* and *AluI* and the fragments resolved by gel electrophoresis (Figure 2i). As can be seen by the data, *Sau3AI* and *HaeIII* were clearly superior to *NciI* and *AluI* in inter-strain differentiation of *E. coli* O157:H7. It is also clear that *NciI* and *AluI* may be used in situations where more genomic characterization is needed. Figures 3a-b demonstrate the use of *Sau3AI* and *Hae3A* on a panel of epidemiologically linked and unlinked isolates. Lanes 1, 3, and 4 in each figure represent epidemiologically unlinked isolates, and lanes 2, 5, 6, 7, and 8 represent epidemiologically linked strains. Each enzyme separates the unlinked isolates from each other and from the linked ones. Each of the two enzymes gave identical banding patterns for the members of the linked panel.

EXAMPLE 2

EFFECT OF RESTRICTION FRAGMENT SIZE ON PATTERN SPECIFICITY

20 Example 2 compares use of restriction enzymes which produce banding patterns below 18 kb (frequent cutters) over enzymes with less frequent recognition sites (generally 6 base cutters) in the present method.

E. coli O157 cells from three different strains were prepared as described in Example 1. Genomic DNA was extracted and separated into four pools. One pool was 25 restricted with the 4 base cutter *Sau3AI* and the other pools with the 6 base cutters *EcoRI*, *HindIII* and *PvuII*. The resulting fragment separation is illustrated in Figure 4.

As can be seen by the data, the banding patterns generated by the 6 base cutters are unable to generate a significant banding fingerprint. In contrast, the banding pattern generated by *Sau3AI* is very informative and easy to interpret. The three strain which had no 30 epidemiological connection show banding patterns which are different from each other.

EXAMPLE 3

BACTERIAL SUBTYPING BY DOUBLE DIGEST WITH RARE CUTTING ENDONUCLEASES

35 Example 3 illustrates that rare cutting restriction endonucleases, when used in combination, have the ability to produce a significant banding fingerprint, similar to that achieved by using frequent cutting enzymes.

E. coli 0157 cells were prepared as described in Example 1. Genomic DNA was extracted and separated into 3 pools. One pool was restricted with *SmaI* and *HincII*, the second pool was cut with *PstI* and *HindIII*, and the third was restricted using *HindIII* and *EcoRV*. As it is evident from Figure 5 combination of *HincII* and *SmaI* resulted in generating fragments less than 18 kb in a significant banding fingerprint.

EXAMPLE 4

EFFECT OF DNA CONCENTRATION ON RESTRICTION PATTERN

Example 4 demonstrates the effect of starting concentration of DNA on the resolution of restricted fragments by gel electrophoresis.

E. coli 0157 cells were prepared as described in Example 1. Genomic DNA was extracted and aliquoted for restriction digest. 1 ug, 2 ug, 4 ug, 8 ug, 16 ug, and 20 ug of DNA were restricted in separate reactions using *HaeIII* and *Sau3AI*. The resulting banding patterns were resolved by gel electrophoresis according to the protocol in the GENERAL METHODS. The results are illustrated in figure 6: Lane 1, 1' kb ladder; lane 2, *Lambda-HindIII*, Lanes 3-8, 1 ug, 2 ug, 4 ug, 8 ug, 16 ug, and 20 ug of *E. coli* 112 cut with *HaeIII*, lanes 9-14 same quantities of DNA cut with *Sau3AI*.

As can be seen by the data in Figure 6, banding patterns are seen clearly at 16-20 ug range. In contrast 1-2 ug of DNA is sufficient to obtain a banding pattern with 6 base cutters; however, as has been demonstrated, such cutters used alone are not effective in the present method.

EXAMPLE 5

EFFECT OF AGAROSE VARIATION ON THE RESOLUTION OF BANDING PATTERNS

DNA was prepared as described above from 3 different panels of *E. coli* O157:H strains. DNA from two of the panels were restricted with *NciI* and *Sau3AI* and applied to gels with varying concentrations of agarose. All gels were run for 17 hr and at 45 volts. Figures 7a and b illustrate the difference in separation when the agarose concentration is varied between 1% and 2%. As can be seen by the data, more concentrated agarose produces more compressed banding patterns which will limit the utility of the method.

DNA from the third panel was separated into 3 pools; each pool was digested using *Sau3AI*. The three pools were applied to three different agarose gels with agarose concentrations of 0.7%, 0.8% and 1% (Figures 8a, 8b, and 8c, respectively). Electrophoresis was conducted for 17 h, at 45 volts. As is evident from the data, the resolution improves with lower concentrations of agarose. However, the smaller bands (around 3-4 kb and lower) become noticeably diffused.

EXAMPLE 6

DEMONSTRATION OF METHOD ON VARIETY OF BACTERIA

Example 6 demonstrates that the present method of bacterial subtyping is applicable to a diverse number of gram positive and gram negative bacterial genera.

5 All strains were grown according to the protocols in the GENERAL METHODS and DNA was extracted and prepared for restriction analysis. Genomic DNA was extracted from *Listeria*, *Salmonella*, *Shigella*, *E. coli*, *Klebsiella*, *Pseudomonas*, *Vibrio*, *Staphylococcus*, and *Neisseria*.

Salmonella and Shigella

10 To identify the enzymes that produce banding patterns in the desired size range (less than 18 kb), a panel of three strains was assembled, consisting of one *E. coli* 0157:H (#1706), one *Shigella sonnei* (#14), and one *Salmonella bovis*morbificans (#66). Isolates were grown, and DNA was isolated as described in the general methods section. DNA was restricted with *AviI*, *Bst**u**I*, *Dpn**I*, *Hha**I*, *Msp**I*, *Nla**III*, *Nla**IV*, *Rsa**I*, and *Scr**FI*. The results are
15 shown in Figures 9a and 9b. A separate panel of *S. sonnei* isolates were tested by *Hae**III*, *Nci**I* and *Sau*3*AI*. *S. sonnei* isolates are shown in Figure 9c, and *Salmonella* isolates are in Figure 9d.

Figures 10a and 10b show the use of *Sau*3*AI* and *Hae**III* on a panel of *S. sonnei* isolates of known epidemiological history (containing linked and unlinked cases). *Sau*3*AI*
20 alone divided the isolates into appropriate epidemiological groups (Figure 10b). Although *Hae**III* showed less sensitivity, it demonstrated good differentiative power, qualifying it as one of the secondary enzymes for *Shigella*. Several of the other enzymes including *Nci**I* were also deemed to be useful in the study of *Shigella* spp.

A panel of 11 *Salmonella bovis*morbificans isolates of known epidemiological
25 history were assembled. The isolates were grown, and DNA was purified as described above. The DNA preps were restricted with *Hae**III* (Figure 11a), *Alu**I* (Figure 11b), *Nci**I* (Figure 11c), and *Sau*3*AI* (Figure 11d). Both *Sau*3*AI* (Figure 11d) and *Nci**I* (Figure 11c) showed that lanes 5-13 had identical banding patterns, and lanes 3 and 4 each had unique patterns. The data confirmed the epidemiological data which showed that strains 5-13 were
30 from a single cluster and strains 3 and 4 were unlinked isolates. *Alu**I* could not separate the unlinked isolates from each other and from the linked isolates. *Hae**III* separated the unlinked from the linked isolates but it could not separate them from each other.

Neisseria

A panel of *Neisseria meningitidis* isolates was grown, DNA was isolated (as
35 described in the GENERAL METHODS), and tested with *Asc**I*, *Bfa**I*, *Dpn**II*, *Hae**III*, *Mn**II*, and *Sau*3*AI* (*Dpn**II* and *Sau*3*AI* have identical recognition sequences). The results indicate that *Hae**III*, and *Sau*3*AI*/*Dpn**II* were equally useful for *Neisseria* species (Figure 12a).

Figure 12b shows the use of *Sau3AI*, *HaeIII* and *MnII* on two independent isolates of *Neisseria meningitidis*.

Pseudomonas aeruginosa, *Klebsiella pneumoniae*, and *Vibrio parahaemolyticus*

On the basis of the previous results for other gram negatives (*E. coli*, *Salmonella*
5 *bovismorbificans* and *Shigella sonnei*), *Sau3AI*, *HaeIII*, and *NciI* were chosen to be tested on
Pseudomonas aeruginosa. The data is shown in Figure 12c. *NciI* was selected as one of the
primary enzymes for *Pseudomonas aeruginosa*. Figure 12d shows the use of *NciI* on a panel
of *P. aeruginosa* isolates of known epidemiological history. The enzyme separated the
linked and the unlinked isolates from each other and the subtyping data 100% matched the
10 epidemiological data.

Figure 13a shows a panel of *Klebsiella pneumoniae* isolates with known
epidemiological history tested with *HaeIII*, and *Sau3AI*. As can be seen by the data, both
enzymes divided the group according to the epidemiological linkages.

Figures 13b and 13c show the utility of the method in interstrain differentiation of
15 *Vibrio parahaemolyticus*. A panel of *V. parahaemolyticus* isolates with known
epidemiological history was analyzed with *Sau3AI* and *HaeIII*. Both enzymes proved to be
very powerful in differentiation of the *V. parahaemolyticus* isolates. Combination of the
results of the two enzymes showed the true linkages of the isolates.

Enterococci spp.

On the basis of the results obtained with other gram positives (*Staphylococcus aureus*
20 and *Listeria monocytogenes* - see below), a panel of *Enterococci* isolates with known
epidemiological history was obtained and tested with *HaeIII*, and *HhaI*. *HaeIII* and *HhaI*
resulted in epidemiologically relevant data (Figures 14a and 14b). The electrophoresis
conditions were revised to employ a 6% agarose gel for analysis of *Enterococci* with *HaeIII*
25 and *HhaI* (Figure 14c).

Staphylococcus aureus

Two panels of *Staphylococcus aureus* strains of known epidemiological history were
assembled. Cells were grown and DNA was isolated as described above. One member of the
panel was tested with a panel of restriction enzymes. The data is shown in Figure 15a where
30 Lane 1, is 1 kb ladder, lanes 2-14 are *Staphylococcus aureus* DNA cut with *AluI*, *AscI*, *AvaI*,
AvaII, *BfaI*, *BstI*, *DdeI*, *DpnII*, *MnII*, *MseI*, *MspI*, *RsaI*, and *ScrFI*, respectively. *Sau3AI*,
HaeIII, *HhaI*, *NciI*, and *NlaIV* were also tested with a *Staphylococcus aureus* isolate (data
not shown).

Several of the enzymes used above generated the banding of appropriate size range
35 (starting at or below 18 kb). Figures 15b-f show the use of *HaeIII*, *NlaIV*, *HhaI*, *AluI*, and
DdeI respectively. The results obtained from each one of the enzymes validated the
epidemiological linkages which were available for the panel. *DdeI*, *MnII*, and *HhaI* were

used on the second panel of *Staphylococcus* isolates. The results are shown in Figures 15g and 15h, again the epidemiological information matched the typing data generated by the enzymes.

Listeria monocytogenes

5 A panel of *Listeria* strains of known epidemiological history were assembled, cells were grown, and DNA was extracted as described above. To determine the appropriate enzymes, *Listeria monocytogenes* DNA was restricted with a panel of enzymes. Figure 16a shows the results. Lane 1, 1KB ladder, lanes 2-14 are *Listeria monocytogenes* DNA restricted with *AscI*, *AvaI*, *Avall*, *BfaI*, *Bstul*, *DdeI*, *DpnI*, *MnlI*, *MseI*, *MspI*, *NlaIV*, *RsaI*,
10 and *ScrFI*, respectively.

Listeria monocytogenes DNA was separately tested with *HaeIII*, *AluI*, *Sau3AI*, *HhaI*, *DpnII*, and *NciI* (data not shown). Several of the enzymes generated the desired banding size range (starting at or below 18KB). Based on these tests *DpnII* was selected as an appropriate enzyme for subtyping. Figure 16b shows 12 *Listeria monocytogenes* isolates of known
15 epidemiologic history restricted with *DpnII* showing a distinguishable fingerprint.

WHAT IS CLAIMED:

1. A method for the differentiation of genetic sub-types within a population of genetically related organisms comprising the steps of:
 - (i) isolating genomic DNA from an organism to be analyzed;
 - 5 (ii) restricting an excess of genomic DNA from said organism with at least one restriction endonuclease to yield restricted DNA having fragments less than 18kb;
 - (iii) resolving said restricted DNA by chromatographic means to generate a distinct genetic fingerprint;
 - (iv) comparing said distinct genetic fingerprint of step (iii) with the genetic
 - 10 fingerprint of a specific genetic sub-type wherein differences in said genetic fingerprints afford differentiation of genetic sub-types within a population of genetically related organisms.
2. A method according to Claim 1 wherein said organism is selected from the group consisting of prokaryotes and microbial eukaryotes.
- 15 3. A method according to Claim 2 wherein said organism is selected from the group consisting of gram positive bacteria and gram negative bacteria.
4. A method according to Claim 3 wherein said organism is selected from the group consisting of *Escherichia*, *Salmonella*, *Shigella*, *Vibrio*, *Listeria*, *Staphylococcus*, *Streptococcus*, *Enterococci*, *Klebsiela*, *Nicericia* *Pseudomonas* and *Campylobacter*.
- 20 5. A method according to Claim 4 wherein said organism is selected from the group consisting of *E. coli* 0157 and *Salmonella*.
6. A method according to Claim 1 wherein said chromatographic means of step (iii) is selected from the group consisting of gel electrophoresis, HPLC, flow cytometry, and membrane chromatography.
- 25 7. A method according to Claim 6 wherein said method of gel electrophoresis is selected from the group consisting of capillary gel electrophoresis, pulsed field gel electrophoresis, 2 dimensional gel electrophoresis, and field inversion electrophoresis.
8. A method according to Claim 7 wherein said gel is an agarose gel having a concentration of from about 0.6% to about 2% agarose.
- 30 9. A method according to Claim 7 wherein said gel is polyacrylamide.
10. A method according to Claim 7 wherein said restricted DNA is stained with a DNA binding dye selected from the group consisting of ethidium bromide, propidium iodide, and fluorescent cyanine dyes.
11. A method according to Claim 1 wherein said at least one restriction enzyme is
- 35 selected from the group consisting of *AccI*, *AluI*, *AvaI*, *Avall*, *BanII*, *BfaI*, *CfoI*, *DdeI*, *DpnI*, *HaeII*, *HaeIII*, *HhaI*, *HincII*, *HinfI*, *HpaII*, *MboI*, *MnII*, *MseI*, *NciI*, *NlaIV*, *RsaI*, *Sau3AI*, *ScrfI*, *TaqI*, and *ThaI*.

12. A method according to Claim 1 wherein said at least one restriction enzyme is a 4 base cutter.

13. A method according to Claim 1 wherein said at least one restriction enzyme is a combination of at least two 6 base cutters.

5 14. A method according to Claim 1 wherein said excess genomic DNA is from about 5 ug to about 30 ug.

15. A method according to Claim 1 wherein said resolving of restricted DNA at step (iii) results in the elimination of all DNA fragments less than 2 kb.

10 16. A method for the interstrain differentiation of bacterial isolates comprising the steps of:

(i) isolating genomic DNA from a) a panel of epidemiologically linked bacterial isolates and b) a panel of epidemiologically un-linked bacterial isolates wherein said linked and un-linked isolates are members of the same genus;

15 (ii) restricting an excess of genomic DNA from the linked and un-linked panel of isolates with a panel of restriction enzymes selected from the group consisting of *AccI*, *AluI*, *AvaI*, *Avall*, *BanII*, *BfaI*, *CfoI*, *DdeI*, *DpnI*, *HaeII*, *HaeIII*, *HhaI*, *HincII*, *HinfI*, *HpaII*, *MboI*, *MnII*, *MseI*, *NciI*, *NlaIV*, *RsaI*, *Sau3AI*, *ScrFI*, *TaqI*, and *ThaI*;

(iii) resolving the restricted DNA of step (ii) by gel electrophoresis to generate a banding pattern for each enzyme;

20 (iv) selecting at least one enzyme from the panel of enzymes of step (ii) that a) generates DNA fragments less than 18 kb, b) generates the lowest index of diversity from the linked panel and c) generates the highest index of diversity from the unlinked panel;

(v) restricting the isolated DNA from the linked and un-linked panels of bacterial isolates of step (i) with the at least one enzyme of step (iv);

25 (vi) resolving said restricted DNA of step (v) by gel electrophoresis to generate a distinct genetic fingerprint for said linked and unlinked isolates; and

(vii) comparing said distinct genetic fingerprints of step (vi) wherein differences in said genetic fingerprints affords interstrain differentiation of said bacterial isolates.

30 17. A method according to Claim 16 wherein said method of gel electrophoresis is selected from the group consisting of, capillary gel electrophoresis, pulsed field gel electrophoresis, 2 dimensional gel electrophoresis, inversional electrophoresis and vertical electrophoresis.

18. A method according to Claim 16 wherein said gel is an agarose having a concentration of from about 0.6% to about 2% agarose.

35 19. A method according to Claim 16 wherein said gel is polyacrylamide.

20. A method according to Claim 16 wherein said restricted DNA is stained with a DNA binding dye selected from the group consisting of ethidium bromide, propidium iodide, and fluorescent cyanine dyes.

5 21. A method according to Claim 16 wherein said at least one restriction enzyme is a 4 base cutter.

22. A method according to Claim 16 wherein said at least one restriction enzyme is a combination of at least one 4 base cutter and at least one 6 base cutter.

23. A method according to Claim 16 wherein said excess genomic DNA is from about 5 ug to about 30 ug.

10 24. A method according to Claim 16 wherein said resolving of restricted DNA at step (iii) results in the elimination of all DNA fragments less than 2 kb.

25. A method according to Claim 16 wherein said resolving of restricted DNA at step (iii) results in separation of DNA fragments over an distance of about 4 cm to about 12 cm of gel.

15 26. A method according to Claim 16 wherein said bacterial isolate is selected from the group consisting of *Escherichia*, *Salmonella*, *Shigella*, *Vibrio*, *Listeria*, *Staphylococcus*, *Streptococcus*, *Enterococci*, *Klebsiela*, *Nicericia* *Pseudomonas* and *Campylobacter*.

20 27. A method according to Claim 16 wherein said bacterial isolate is selected from the group consisting of *E. coli* 0157 and *Salmonella*.

PATENT COOPERATION TREATY

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REC'D 30 MAR 1999

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference MD9501	FOR FURTHER ACTION		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/US98/04599	International filing date (day/month/year) 09/03/1998	Priority date (day/month/year) 10/03/1997	
International Patent Classification (IPC) or national classification and IPC C12Q1/68			
Applicant SAMADPOUR, Mansour			

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 3 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 24/09/1998	Date of completion of this report 26.03.99
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. (+49-89) 2399-0 Tx: 523656 epmu d Fax: (+49-89) 2399-4465	Authorized officer Hinchliffe, P Telephone No. (+49-89) 2399 8431 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US98/04599

I. Basis of the report

1. This report has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

Description, pages:

1-21 as originally filed

Claims, No.:

1-27 as received on 12/03/1999 with letter of 12/03/1999

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-27
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-27
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-27
	No:	Claims	

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US98/04599

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US98/04599

SECTION V

1. The subject matter of the claims concerns methods for differentiation of genetic sub-types using a finger-printing type process. The method is differentiated over the prior art methods cited in the I.S.R. insofar as the range of fragments making up the fingerprint is from 0.1 to 18kb. This range is alleged to provide more information than is available from the narrower range of 0.5 to 4kb and this feature is surprising (i.e. inventive) because the narrower bandwidth was considered to be adequate for differentiation of sub-types. The requirement of Article 33(2) & (3) appears therefore to be fulfilled.

WHAT IS CLAIMED:

1. A method for the differentiation of genetic sub-types within a population of genetically related organisms comprising the steps of:
 - (i) isolating genomic DNA from an organism to be analyzed;
 - 5 (ii) restricting genomic DNA from said organism with at least one restriction endonuclease to yield restricted DNA wherein all fragments are less than 18kb;
 - (iii) resolving said restricted DNA by chromatographic means capable of separating fragments in the 0.1 to 18 kb range to generate a distinct genetic
10 fingerprint;
 - (iv) comparing said distinct genetic fingerprint of step (iii) with the genetic fingerprint of a specific genetic sub-type wherein differences in said genetic fingerprints afford differentiation of genetic sub-types within a population of genetically related organisms.
- 15 2. A method according to Claim 1 wherein said organism is selected from the group consisting of prokaryotes and microbial eukaryotes.
3. A method according to Claim 2 wherein said organism is selected from the group consisting of gram positive bacteria and gram negative bacteria.
- 20 4. A method according to Claim 3 wherein said organism is selected from the group consisting of *Escherichia*, *Salmonella*, *Shigella*, *Vibrio*, *Listeria*, *Staphylococcus*, *Streptococcus*, *Enterococci*, *Klebsiella*, *Nicericia* *Pseudomonas* and *Campylobacter*.
5. A method according to Claim 4 wherein said organism is selected from the group consisting of *E. coli* 0157 and *Salmonella*.
- 25 6. A method according to Claim 1 wherein said chromatographic means of step (iii) is selected from the group consisting of gel electrophoresis, HPLC, flow cytometry, and membrane chromatography.
7. A method according to Claim 6 wherein said method of gel electrophoresis is selected from the group consisting of capillary gel electrophoresis, pulsed field gel electrophoresis, 2 dimensional gel electrophoresis, and field inversion
30 electrophoresis.
8. A method according to Claim 7 wherein said gel is an agarose gel having a concentration of from about 0.6% to about 2% agarose.
9. A method according to Claim 7 wherein said gel is polyacrylamide.
- 35 10. A method according to Claim 7 wherein said restricted DNA is stained with a DNA binding dye selected from the group consisting of ethidium bromide, propidium iodide, and fluorescent cyanine dyes.

11. A method according to Claim 1 wherein said at least one restriction enzyme is selected from the group consisting of *AccI*, *AluI*, *AvaI*, *AvaII*, *BanII*, *BfaI*, *CfoI*, *DdeI*, *DpnI*, *HaeII*, *HaeIII*, *HhaI*, *HincII*, *HinfI*, *HpaII*, *MboI*, *MnII*, *MseI*, *NciI*, *NlaIV*, *RsaI*, *Sau3AI*, *ScrfI*, *TaqI*, and *ThaI*.

5 12. A method according to Claim 1 wherein said at least one restriction enzyme is a 4 base cutter.

13. A method according to Claim 1 wherein said at least one restriction enzyme is a combination of at least two 6 base cutters.

10 14. A method according to Claim 1 wherein said genomic DNA is from about 5 ug to about 30 ug.

15 15. A method according to Claim 1 wherein said resolving of restricted DNA at step (iii) results in the elimination of all DNA fragments less than 2 kb.

16. A method for the interstrain differentiation of bacterial isolates comprising the steps of:

15 (i) isolating genomic DNA from a) a panel of epidemiologically linked bacterial isolates and b) a panel of epidemiologically un-linked bacterial isolates wherein said linked and un-linked isolates are members of the same genus;

20 (ii) restricting genomic DNA from the linked and un-linked panel of isolates with a panel of restriction enzymes selected from the group consisting of *AccI*, *AluI*, *AvaI*, *AvaII*, *BanII*, *BfaI*, *CfoI*, *DdeI*, *DpnI*, *HaeII*, *HaeIII*, *HhaI*, *HincII*, *HinfI*, *HpaII*, *MboI*, *MnII*, *MseI*, *NciI*, *NlaIV*, *RsaI*, *Sau3AI*, *ScrfI*, *TaqI*, and *ThaI*;

(iii) resolving the restricted DNA of step (ii) by gel electrophoresis to generate a banding pattern for each enzyme;

25 (iv) selecting at least one enzyme from the panel of enzymes of step (ii) that a) restricts all of the genomic DNA to fragments of less than 18 kb, b) generates the lowest index of diversity from the linked panel and c) generates the highest index of diversity from the unlinked panel;

(v) restricting the isolated DNA from the linked and un-linked panels of bacterial isolates of step (i) with the at least one enzyme of step (iv);

30 (vi) resolving said restricted DNA of step (v) by gel electrophoretic means capable of separating fragments in the 0.1 to 18 kb range to generate a distinct genetic fingerprint for said linked and unlinked isolates; and

35 (vii) comparing said distinct genetic fingerprints of step (vi) wherein differences in said genetic fingerprints affords interstrain differentiation of said bacterial isolates.

17. A method according to Claim 16 wherein said method of gel electrophoresis is selected from the group consisting of, capillary gel electrophoresis,

pulsed field gel electrophoresis, 2 dimensional gel electrophoresis, inversional electrophoresis and vertical electrophoresis.

18. A method according to Claim 16 wherein said gel is an agarose having a concentration of from about 0.6% to about 2% agarose.

5 19. A method according to Claim 16 wherein said gel is polyacrylamide.

20. A method according to Claim 16 wherein said restricted DNA is stained with a DNA binding dye selected from the group consisting of ethidium bromide, propidium iodide, and fluorescent cyanine dyes.

10 21. A method according to Claim 16 wherein said at least one restriction enzyme is a 4 base cutter.

22. A method according to Claim 16 wherein said at least one restriction enzyme is a combination of at least one 4 base cutter and at least one 6 base cutter.

23. A method according to Claim 16 wherein said genomic DNA is from about 5 ug to about 30 ug.

15 24. A method according to Claim 16 wherein said resolving of restricted DNA at step (iii) results in the elimination of all DNA fragments less than 2 kb.

25. A method according to Claim 16 wherein said resolving of restricted DNA at step (iii) results in separation of DNA fragments over an distance of about 4 cm to about 12 cm of gel.

20 26. A method according to Claim 16 wherein said bacterial isolate is selected from the group consisting of *Escherichia*, *Salmonella*, *Shigella*, *Vibrio*, *Listeria*, *Staphylococcus*, *Streptococcus*, *Enterococci*, *Klebsiela*, *Nicericia* *Pseudomonas* and *Campylobacter*.

25 27. A method according to Claim 16 wherein said bacterial isolate is selected from the group consisting of *E. coli* 0157 and *Salmonella*.

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1007 Market Street
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K. K. K.

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 71.1)

Date of mailing
(day/month/year)

26.03.99

Applicant's or agent's file reference
MD9501

IMPORTANT NOTIFICATION

International application No.
PCT/US98/04599International filing date (day/month/year)
09/03/1998Priority date (day/month/year)
10/03/1997

Applicant

SAMADPOUR, Mansour

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

TRB NOTED

4.7.99

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference MD9501		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US98/04599	International filing date (day/month/year) 09/03/1998	Priority date (day/month/year) 10/03/1997	
International Patent Classification (IPC) or national classification and IPC C12Q1/68			
Applicant SAMADPOUR, Mansour			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 3 sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 			
Date of submission of the demand 24/09/1998		Date of completion of this report 2 6. 03. 99	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. (+49-89) 2399-0 Tx: 523656 epmu d Fax: (+49-89) 2399-4465		Authorized officer Hinchliffe, P Telephone No. (+49-89) 2399 8431	



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US98/04599

I. Basis of the report

1. This report has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

Description, pages:

1-21 as originally filed

Claims, No.:

1-27 as received on 12/03/1999 with letter of 12/03/1999

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-27
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-27
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-27
	No:	Claims	

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US98/04599

2. Citations and explanations

see separate sheet

SECTION V

1. The subject matter of the claims concerns methods for differentiation of genetic sub-types using a finger-printing type process. The method is differentiated over the prior art methods cited in the I.S.R. insofar as the range of fragments making up the fingerprint is from 0.1 to 18kb. This range is alleged to provide more information than is available from the narrower range of 0.5 to 4kb and this feature is surprising (i.e. inventive) because the narrower bandwidth was considered to be adequate for differentiation of sub-types. The requirement of Article 33(2) & (3) appears therefore to be fulfilled.

WHAT IS CLAIMED:

1. A method for the differentiation of genetic sub-types within a population of genetically related organisms comprising the steps of:

- (i) isolating genomic DNA from an organism to be analyzed;
- 5 (ii) restricting an excess of genomic DNA from said organism with at least one restriction endonuclease to yield restricted DNA having fragments less than 18kb;
- (iii) resolving said restricted DNA by chromatographic means to generate a distinct genetic fingerprint;
- (iv) comparing said distinct genetic fingerprint of step (iii) with the genetic
10 fingerprint of a specific genetic sub-type wherein differences in said genetic fingerprints afford differentiation of genetic sub-types within a population of genetically related organisms.

2. A method according to Claim 1 wherein said organism is selected from the group consisting of prokaryotes and microbial eukaryotes.

15 3. A method according to Claim 2 wherein said organism is selected from the group consisting of gram positive bacteria and gram negative bacteria.

4. A method according to Claim 3 wherein said organism is selected from the group consisting of *Escherichia*, *Salmonella*, *Shigella*, *Vibrio*, *Listeria*, *Staphylococcus*, *Streptococcus*, *Enterococci*, *Klebsiela*, *Nicericia* *Pseudomonas* and *Campylobacter*.

20 5. A method according to Claim 4 wherein said organism is selected from the group consisting of *E. coli* 0157 and *Salmonella*.

6. A method according to Claim 1 wherein said chromatographic means of step (iii) is selected from the group consisting of gel electrophoresis, HPLC, flow cytometry, and membrane chromatography.

25 7. A method according to Claim 6 wherein said method of gel electrophoresis is selected from the group consisting of capillary gel electrophoresis, pulsed field gel electrophoresis, 2 dimensional gel electrophoresis, and field inversion electrophoresis.

8. A method according to Claim 7 wherein said gel is an agarose gel having a concentration of from about 0.6% to about 2% agarose.

30 9. A method according to Claim 7 wherein said gel is polyacrylamide.

10. A method according to Claim 7 wherein said restricted DNA is stained with a DNA binding dye selected from the group consisting of ethidium bromide, propidium iodide, and fluorescent cyanine dyes.

35 11. A method according to Claim 1 wherein said at least one restriction enzyme is selected from the group consisting of *AccI*, *AluI*, *AvaI*, *AvaII*, *BanII*, *BfaI*, *CfoI*, *DdeI*, *DpnI*, *HaeII*, *HaeIII*, *HhaI*, *HincII*, *HinfI*, *HpaII*, *MboI*, *MnII*, *MseI*, *NciI*, *NlaIV*, *RsaI*, *Sau3AI*, *ScrfI*, *TaqI*, and *ThaI*.

12. A method according to Claim 1 wherein said at least one restriction enzyme is a 4 base cutter.

13. A method according to Claim 1 wherein said at least one restriction enzyme is a combination of at least two 6 base cutters.

5 14. A method according to Claim 1 wherein said excess genomic DNA is from about 5 ug to about 30 ug.

15. A method according to Claim 1 wherein said resolving of restricted DNA at step (iii) results in the elimination of all DNA fragments less than 2 kb.

10 16. A method for the interstrain differentiation of bacterial isolates comprising the steps of:

(i) isolating genomic DNA from a) a panel of epidemiologically linked bacterial isolates and b) a panel of epidemiologically un-linked bacterial isolates wherein said linked and un-linked isolates are members of the same genus;

15 (ii) restricting an excess of genomic DNA from the linked and un-linked panel of isolates with a panel of restriction enzymes selected from the group consisting of *AccI*, *AluI*, *AvaI*, *AvaII*, *BanII*, *BfaI*, *CfoI*, *DdeI*, *DpnI*, *HaeII*, *HaeIII*, *HhaI*, *HincII*, *HinfI*, *HpaII*, *MboI*, *MnII*, *MseI*, *NciI*, *NlaIV*, *RsaI*, *Sau3AI*, *ScrfI*, *TaqI*, and *ThaI*;

(iii) resolving the restricted DNA of step (ii) by gel electrophoresis to generate a banding pattern for each enzyme;

20 (iv) selecting at least one enzyme from the panel of enzymes of step (ii) that a) generates DNA fragments less than 18 kb, b) generates the lowest index of diversity from the linked panel and c) generates the highest index of diversity from the unlinked panel;

(v) restricting the isolated DNA from the linked and un-linked panels of bacterial isolates of step (i) with the at least one enzyme of step (iv);

25 (vi) resolving said restricted DNA of step (v) by gel electrophoresis to generate a distinct genetic fingerprint for said linked and unlinked isolates; and

(vii) comparing said distinct genetic fingerprints of step (vi) wherein differences in said genetic fingerprints affords interstrain differentiation of said bacterial isolates.

30 17. A method according to Claim 16 wherein said method of gel electrophoresis is selected from the group consisting of, capillary gel electrophoresis, pulsed field gel electrophoresis, 2 dimensional gel electrophoresis, inversional electrophoresis and vertical electrophoresis.

18. A method according to Claim 16 wherein said gel is an agarose having a concentration of from about 0.6% to about 2% agarose.

35 19. A method according to Claim 16 wherein said gel is polyacrylamide.

20. A method according to Claim 16 wherein said restricted DNA is stained with a DNA binding dye selected from the group consisting of ethidium bromide, propidium iodide, and fluorescent cyanine dyes.

5 21. A method according to Claim 16 wherein said at least one restriction enzyme is a 4 base cutter.

22. A method according to Claim 16 wherein said at least one restriction enzyme is a combination of at least one 4 base cutter and at least one 6 base cutter.

23. A method according to Claim 16 wherein said excess genomic DNA is from about 5 ug to about 30 ug.

10 24. A method according to Claim 16 wherein said resolving of restricted DNA at step (iii) results in the elimination of all DNA fragments less than 2 kb.

25. A method according to Claim 16 wherein said resolving of restricted DNA at step (iii) results in separation of DNA fragments over an distance of about 4 cm to about 12 cm of gel.

15 26. A method according to Claim 16 wherein said bacterial isolate is selected from the group consisting of *Escherichia*, *Salmonella*, *Shigella*, *Vibrio*, *Listeria*, *Staphylococcus*, *Streptococcus*, *Enterococci*, *Klebsiela*, *Nicericia* *Pseudomonas* and *Campylobacter*.

27. A method according to Claim 16 wherein said bacterial isolate is selected from the group consisting of *E. coli* 0157 and *Salmonella*.

20

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 98/04599

A. CLASSIFICATION OF SUBJECT MATTER
IPC 6 C12Q1/68

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 6 C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 266 787 A (MAX PLANCK GESELLSCHAFT) 11 May 1988 see figure 1; example 1 ---	1, 6-8, 11, 14, 15
A	SAMADPOUR M ET AL: "MOLECULAR EPIDEMIOLOGY OF ESCHERICHIA COLI 0157:H7 BY RESTRICTION FRAGMENT LENGTH POLYMORPHISM USING SHIGA-LIKE TOXIN GENES" JOURNAL OF CLINICAL MICROBIOLOGY, vol. 33, no. 8, August 1995, pages 2150-2154, XP000197545 see page 2150 - page 2151 --- -/--	1-8, 16-18, 26, 27

☒ Further documents are listed in the continuation of box C.

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° Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

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"&" document member of the same patent family

Date of the actual completion of the international search

19 June 1998

Date of mailing of the international search report

03/07/1998

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 98/04599

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	LI H ET AL: "Multiplex genotype determination at a DNA sequence polymorphism cluster in the human immunoglobulin heavy-chain region." GENOMICS, vol. 26, no. 2, 20 March 1995, SAN DIEGO, pages 199-206, XP002068684 see abstract ----	1,7,8,12
A	GRIMM LM ET AL: "Molecular epidemiology of a fast-food restaurant-associated outbreak of Escherichia coli 0157:H7 in Washington State." JOURNAL OF CLINICAL MICROBIOLOGY, vol. 33, no. 8, August 1995, WASHINGTON, DC, pages 2155-2158, XP002068685 see page 2155 ----	1-8
A	FERNANDEZ-PERALTA AM ET AL: "Digestion of human chromosomes by means of the isoschizomers MspI and HpaII." GENOME, vol. 37, no. 5, October 1994, OTTAWA, pages 770-774, XP002068686 see page 770 ----	1,6-8, 10-12
A	PRESTON ET AL.: "Genetic variability and molecular typing of Shigella sonnei strains isolated in Canada" JOURNAL OF CLINICAL MICROBIOLOGY, vol. 32, no. 6, June 1994, WASHINGTON, DC, pages 1427-1430, XP002068687 see abstract ↴ ----	1-4,6,7, 9,11
A	HAERTL ET AL.: "Use of small fragment restriction endonuclease analysis (SF-REA) for epidemiological fingerprinting of Klebsiella oxytoca" ZENTRALBLATT FÜR BAKTERIOLOGY, vol. 280, no. 8, January 1994, pages 312-318, XP002068688 see abstract see page 313 -----	1,2,6,7, 9,16,17, 19

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference MD9501	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 98/ 04599	International filing date (day/month/year) 09/03/1998	(Earliest) Priority Date (day/month/year) 10/03/1997
Applicant SAMADPOUR, Mansour		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. ☐ Certain claims were found unsearchable (see Box I).

2. ☐ Unity of invention is lacking (see Box II).

3. ☐ The international application contains disclosure of a **nucleotide and/or amino acid sequence listing** and the international search was carried out on the basis of the sequence listing

☐ filed with the international application.

☐ furnished by the applicant separately from the international application,

☐ but not accompanied by a statement to the effect that it did not include matter going beyond the disclosure in the international application as filed.

☐ Transcribed by this Authority

4. With regard to the **title**, ☒ the text is approved as submitted by the applicant

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this International Search Report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is:

Figure No. ☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☒ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US 98/04599

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>LI H ET AL: "Multiplex genotype determination at a DNA sequence polymorphism cluster in the human immunoglobulin heavy-chain region." GENOMICS, vol. 26, no. 2, 20 March 1995, SAN DIEGO, pages 199-206, XP002068684 see abstract</p> <p style="text-align: center;">---</p>	1,7,8,12
A	<p>GRIMM LM ET AL: "Molecular epidemiology of a fast-food restaurant-associated outbreak of Escherichia coli O157:H7 in Washington State." JOURNAL OF CLINICAL MICROBIOLOGY, vol. 33, no. 8, August 1995, WASHINGTON, DC, pages 2155-2158, XP002068685 see page 2155</p> <p style="text-align: center;">---</p>	1-8
A	<p>FERNANDEZ-PERALTA AM ET AL: "Digestion of human chromosomes by means of the isoschizomers MspI and HpaII." GENOME, vol. 37, no. 5, October 1994, OTTAWA, pages 770-774, XP002068686 see page 770</p> <p style="text-align: center;">---</p>	1,6-8, 10-12
A	<p>PRESTON ET AL.: "Genetic variability and molecular typing of Shigella sonnei strains isolated in Canada" JOURNAL OF CLINICAL MICROBIOLOGY, vol. 32, no. 6, June 1994, WASHINGTON, DC, pages 1427-1430, XP002068687 see abstract</p> <p style="text-align: center;">---</p>	1-4,6,7, 9,11
A	<p>HAERTL ET AL.: "Use of small fragment restriction endonuclease analysis (SF-REA) for epidemiological fingerprinting of Klebsiella oxytoca" ZENTRALBLATT FÜR BAKTERIOLOGY, vol. 280, no. 8, January 1994, pages 312-318, XP002068688 see abstract see page 313</p> <p style="text-align: center;">-----</p>	1,2,6,7, 9,16,17, 19

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 98/04599

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 0266787 A	11-05-1988	DE 3786876 A	09-09-1993
		DE 3786876 T	27-01-1994
		EP 0547024 A	16-06-1993
		US 4987066 A	22-01-1991

INTERNATIONAL SEARCH REPORT

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International Application No

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

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International application No. PCT/US 98/04599	International filing date (day/month/year) 09/03/1998	(Earliest) Priority Date (day/month/year) 10/03/1997
Applicant SAMADPOUR, Mansour		

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 - ☐ filed with the international application.
 - ☐ furnished by the applicant separately from the international application,
 - ☐ but not accompanied by a statement to the effect that it did not include matter going beyond the disclosure in the international application as filed.
 - ☐ Transcribed by this Authority
4. With regard to the title, ☒ the text is approved as submitted by the applicant
☐ the text has been established by this Authority to read as follows:
5. With regard to the abstract,
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6. The figure of the drawings to be published with the abstract is:
 Figure No. _____ ☐ as suggested by the applicant. ☒ None of the figures.
☐ because the applicant failed to suggest a figure.
☐ because this figure better characterizes the invention.

INTERNATIONAL SEARCH REPORT

International Application No.

PCT/US 98/04599

A. CLASSIFICATION OF SUBJECT MATTER
IPC 6 C12Q1/68

According to International Patent Classification(IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 C12Q

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Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

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Date of the actual completion of the international search

19 June 1998

Date of mailing of the international search report

03/07/1998

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 98/04599

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
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A	FERNANDEZ-PERALTA AM ET AL: "Digestion of human chromosomes by means of the isoschizomers MspI and HpaII." GENOME, vol. 37, no. 5, October 1994, OTTAWA, pages 770-774, XP002068686 see page 770 ----	1,6-8, 10-12
A	PRESTON ET AL.: "Genetic variability and molecular typing of Shigella sonnei strains isolated in Canada" JOURNAL OF CLINICAL MICROBIOLOGY, vol. 32, no. 6, June 1994, WASHINGTON, DC, pages 1427-1430, XP002068687 see abstract ----	1-4,6,7, 9,11
A	HAERTL ET AL.: "Use of small fragment restriction endonuclease analysis (SF-REA) for epidemiological fingerprinting of Klebsiella oxytoca" ZENTRALBLATT FÜR BAKTERIOLOGY, vol. 280, no. 8, January 1994, pages 312-318, XP002068688 see abstract see page 313 -----	1,2,6,7, 9,16,17, 19

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 98/04599

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